

Attorney's Docket No.: 17072-002001 / 0271

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert Thomas Hudak      Art Unit : 1641  
Serial No. : 09/915,494      Examiner : Gary W. Counts  
Appeal No. : 2006-2699      Conf. No. : 6752  
Filed : July 25, 2001  
Title : SPECIMEN COLLECTION CONTAINER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Dear Sir:


Transmitted herewith are a Response to Decision of the Board of Patent Appeals and Interferences, mailed January 17, 2007, a Terminal Disclaimer, a check (\$130) for the terminal disclaimer, and a return postcard in connection with the above-captioned patent application. If a Petition for extension of time is needed, this paper is to be considered such Petition.



The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 1, 2007

  
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## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: May 1, 2007Signature: Typed or Printed Name of Person Signing Certificate: Eric Butler

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TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), OAKVILLE HONG KONG COMPANY LIMITED certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of:

☒ A chain of title from the inventors of the above-referenced patent application to the current assignee as shown below:

1. From Hudak, Robert Thomas to Acon Laboratories, Inc. The document was recorded in the Patent and Trademark Office at Reel 012227, Frame 0549 on October 2, 2001, or a copy thereof is attached.

2. From Acon Laboratories, Inc. to Oakville Trading Hong Kong Limited. The document was recorded in the Patent and Trademark Office at Reel 015362, Frame 0261, on May 24, 2004, or a copy thereof is attached.

3. From Oakville Trading Hong Kong Limited to Oakville Hong Kong Company Limited. The document was recorded in the Patent and Trademark Office at Reel 017300, Frame 0423, on February 16, 2006, or a copy thereof is attached.

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To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of *the patent to issue from U.S. application serial no. 10/211,199* provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with *the patent to issue from U.S. application serial no. 10/211,199*.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of *the patent to issue from U.S. application serial no. 10/211,199* in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of *the patent to issue from U.S. application serial no. 10/211,199*.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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OAKVILLE HONG KONG COMPANY LIMITED

Date: 4/17/07

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